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1-31-03  
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Attorney Docket: K-1633  
S.N.: 09/678,923

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**CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

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**37 C.F.R. section 1.8(a)**

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Date: January 16, 2003

  
Larry R. Meenan

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kenneth G. DeRoche et al. ) Group Art Unit 3722  
)  
Serial No. 09/678,923 )  
) Examiner H. Tsai  
Filed: October 4, 2000 )  
)  
For: MILLING CUTTER ) Attorney Docket K-1633

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January 16, 2003

**DECLARATION UNDER 37 CFR 1.132**

I, Kenneth G. DeRoche, declare and say:

1. That I am a citizen of the United States of America and I reside at RD 11, Box 699, Greensburg, Pennsylvania 15601.
2. I am one of the named coinventors of the above-identified patent application.
3. I graduated in 1981 from Craven Community College, located in Newbern, North Carolina with a Associate Science Degree in Engineering. I was also graduated in 1997 from North Carolina Wesleyan located in Rocky Mount, North Carolina with a Bachelor of Science Degree in Business Administration.
4. Since 1993 I have been employed by Kennametal Inc. in the field of designing metal working tooling. I am currently Staff Engineer in the Department of Milling and Holesmaking Systems Engineering.
5. I have been granted six U.S. patents in the metal working tooling field.
6. I am familiar with the above-identified patent application Serial No. 09/678,923 and

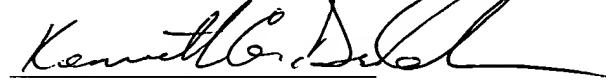
with the following references cited by the Examiner: U.S. Patent No. 4,844,666 (Tsujimara et al.) and U.S. Patent No. 5,425,603 (Dutschke).

*Twist is  
the of  
single flute  
multi-*  
7. The term "all effective cutting" is a term well known in the art as describing a cutting tool wherein each flute acts as an entire cutting edge. It is my considered opinion that Tsujimara and Dutschke disclose and teach half effective cutting and do not teach or suggest "all effective cutting" as claimed in the present invention.

8. That, in my considered opinion, the claimed combination of a cutting tool including at least a first and second spiraling flute, each flute including a plurality of inserts secured therein to define an axial rake wherein the axial rake angle of the inserts varies between flutes and within each flute and that provides all effective cutting is unobvious from the teachings of Tsujimara and Dutschke to one skilled in the art.

That the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Further declarant saith not.



Kenneth G. DeRoche  
Date: January 15, 2003

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KGD*